



Handwritten initials: JW AF

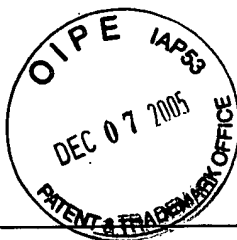
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/089,444-Conf. #6939
	Filing Date	May 22, 2002
	First Named Inventor	FALKENHAUSEN, VON
	Art Unit	1618
	Examiner Name	M. P. Young
Total Number of Pages in This Submission	Attorney Docket Number	3868-0113P

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return receipt postcard
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	BIRCH, STEWART, KOLASCH & BIRCH, LLP	
Signature	<i>Handwritten signature: Mark J. Nuell</i>	
Printed name	Mark J. Nuell, Ph.D.	
Date	December 7, 2005	Reg. No. 36,623

Handwritten signature: J. Cooper



MS AF
REPLY UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP

AMENDMENT TRANSMITTAL LETTER				Docket No. 3868-0113P	
Application No. 10/089,444-Conf. #6939	Filing Date May 22, 2002	Examiner M. P. Young	Art Unit 1618		
Applicant(s): FALKENHAUSEN, VON et al.					
Invention: PREPARATION CONTAINING ACTIVE AND/OR AUXILIARY SUBSTANCES, WITH CONTROLLABLE RELEASE OF SAID SUBSTANCES, AS WELL AS ITS USE AND MANUFACTURE					
MS AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	24	- 24 =	0	x 0.00	
Independent Claims	1	- 3 =	0	x 0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity <input checked="" type="checkbox"/> No additional fee is required for this amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed. <input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>02-2448</u> as described below. A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
_____ Mark J. Nuell, Ph.D. Attorney Reg. No.: 36,623 BIRCH, STEWART, KOLASCH & BIRCH, LLP 8110 Gatehouse Road Suite 100 East P.O. Box 747 Falls Church, Virginia 22040-0747 (703) 205-8043 <i>R. Cooper</i>				Dated: <u>December 7, 2005</u>	



MS AF
Amendment Under 37 C.F.R. 1.116
Expedited Processing
Art Unit 1618
Docket No.: 3868-0113P
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
FALKENHAUSEN, VON et al.

Application No.: 10/089,444

Confirmation No.: 6939

Filed: May 22, 2002

Art Unit: 1618

For: PREPARATION CONTAINING ACTIVE
AND/OR AUXILIARY SUBSTANCES, WITH
CONTROLLABLE RELEASE OF SAID
SUBSTANCES, AS WELL AS ITS USE AND
MANUFACTURE

Examiner: M. P. Young

AMENDMENT UNDER 37 C.F.R. §1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

In response to the final Office Action dated September 7, 2005, the following amendments and remarks are respectfully submitted in connection with the above-identified application.

This Amendment contains a claim set as amended and remarks.